

lar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(c) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of this title.

**CHAPTER 1611—OTHER EDUCATIONAL ASSISTANCE PROGRAMS**

Sec.  
16401. Marine Corps Platoon Leaders Class: college tuition assistance program.

AMENDMENTS

2000—Pub. L. 106-398, § 1 [[div. A], title V, § 533(g)], Oct. 30, 2000, 114 Stat. 1654, 1654A-112, substituted “Class: college tuition assistance program” for “Class program: officer candidates pursuing degrees” in item 16401.

**§ 16401. Marine Corps Platoon Leaders Class: college tuition assistance program**

(a) **AUTHORITY.**—The Secretary of the Navy may provide financial assistance to an eligible member of the Marine Corps Reserve for expenses of the member while the member is pursuing on a full-time basis at an institution of higher education a program of education approved by the Secretary that leads to—

- (1) a baccalaureate degree in less than five academic years; or
- (2) a doctor of jurisprudence or bachelor of laws degree in not more than four academic years.

(b) **ELIGIBILITY.**—(1) To be eligible for financial assistance under this section, a member of the Marine Corps Reserve must—

- (A) be a member of the Marine Corps Platoon Leaders Class program and have successfully completed one six-week (or longer) increment of military training required under that program;
  - (B) be enrolled on a full-time basis in a program of education referred to in subsection (a) at any institution of higher education; and
  - (C) enter into a written agreement with the Secretary described in paragraph (2).
- (2) A written agreement referred to in paragraph (1)(C) is an agreement between the member and the Secretary in which the member agrees—
- (A) to accept an appointment as a commissioned officer in the Marine Corps, if tendered by the President;
  - (B) to serve on active duty for at least five years; and
  - (C) under such terms and conditions as shall be prescribed by the Secretary, to serve in the Marine Corps Reserve until the eighth anniversary of the date of the appointment.

(c) **COVERED EXPENSES.**—Expenses for which financial assistance may be provided under this section are—

- (1) tuition and fees charged by the institution of higher education involved;
- (2) the cost of books; and
- (3) in the case of a program of education leading to a baccalaureate degree, laboratory expenses.

(d) **AMOUNT.**—The amount of financial assistance provided to a member under this section shall be prescribed by the Secretary, but may not exceed \$5,200 for any academic year.

(e) **LIMITATIONS.**—(1) Financial assistance may be provided to a member under this section only for three consecutive academic years.

(2) Not more than 1,200 members may participate in the financial assistance program under this section in any academic year.

(f) **FAILURE TO COMPLETE PROGRAM.**—(1) An enlisted member who receives financial assistance under this section may be ordered to active duty in the Marine Corps by the Secretary to serve in an appropriate enlisted grade for such period as the Secretary prescribes, but not for more than four years, and an officer who receives financial assistance under this section shall be subject to the repayment provisions of section 303a(e) of title 37, if the member—

(A) completes the military and academic requirements of the Marine Corps Platoon Leaders Class program and refuses to accept an appointment as a commissioned officer in the Marine Corps when offered or, if already a commissioned officer in the Marine Corps, refuses to accept an assignment on active duty when offered;

(B) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class program; or

(C) is disenrolled from the Marine Corps Platoon Leaders Class program for failure to maintain eligibility for an original appointment as a commissioned officer under section 532 of this title.

(2) Any requirement to repay any portion of financial assistance received under this section shall be administered under the regulations issued under section 303a(e) of title 37. The Secretary of the Navy may waive the requirements of paragraph (1) in the case of a person who—

(A) becomes unqualified to serve on active duty as an officer due to a circumstance not within the control of the person;

(B) is not physically qualified for appointment under section 532 of this title and later is determined by the Secretary of the Navy under section 505 of this title to be unqualified for service as an enlisted member of the Marine Corps due to a physical or medical condition that was not the result of misconduct or grossly negligent conduct; or

(C) fails to complete the military or academic requirements of the Marine Corps Platoon Leaders Class program due to a circumstance not within the control of the person.

(g) **INSTITUTION OF HIGHER EDUCATION DEFINED.**—In this section, the term “institution of higher education” has the meaning given that term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(Added Pub. L. 106-65, div. A, title V, § 551(a)(1), Oct. 5, 1999, 113 Stat. 612; amended Pub. L. 106-398, § 1 [[div. A], title V, § 533(a)-(d), (f)], Oct. 30, 2000, 114 Stat. 1654, 1654A-110, 1654A-111; Pub. L. 109-163, div. A, title VI, § 687(c)(15), Jan. 6, 2006, 119 Stat. 3336.)

AMENDMENTS

2006—Subsec. (f)(1). Pub. L. 109-163, § 687(c)(15)(A), substituted “shall be subject to the repayment provisions of section 303a(e) of title 37” for “may be required to repay the full amount of financial assistance” in introductory provisions.

Subsec. (f)(2). Pub. L. 109-163, § 687(c)(15)(B), inserted "Any requirement to repay any portion of financial assistance received under this section shall be administered under the regulations issued under section 303a(e) of title 37." before "The Secretary of the Navy may waive" in introductory provisions.

2000—Pub. L. 106-398, § 1 [[div. A], title V, § 533(f)(1)], substituted "Class: college tuition assistance program" for "Class program: officer candidates pursuing degrees" in section catchline.

Subsec. (a). Pub. L. 106-398, § 1 [[div. A], title V, § 533(a)(1), (f)(2)], struck out "for Financial Assistance Program" after "Authority" in heading and "enlisted" after "an eligible" in introductory provisions.

Subsec. (a)(2). Pub. L. 106-398, § 1 [[div. A], title V, § 533(c)], substituted "four" for "three".

Subsec. (b)(1). Pub. L. 106-398, § 1 [[div. A], title V, § 533(a)(2)(A)], substituted "a member" for "an enlisted member" in introductory provisions.

Subsec. (b)(1)(A). Pub. L. 106-398, § 1 [[div. A], title V, § 533(a)(2)(B)], substituted "a member of" for "an officer candidate in".

Subsec. (b)(1)(B). Pub. L. 106-398, § 1 [[div. A], title V, § 533(b)(1)(A), (B)], redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: "meet the applicable age requirement specified in paragraph (2);".

Subsec. (b)(1)(C), (D). Pub. L. 106-398, § 1 [[div. A], title V, § 533(b)(1)(B), (C)], redesignated subpar. (D) as (C) and substituted "paragraph (2)" for "paragraph (3)".

Subsec. (b)(2), (3). Pub. L. 106-398, § 1 [[div. A], title V, § 533(b)(2)-(4)], redesignated par. (3) as (2), substituted "paragraph (1)(C)" for "paragraph (1)(D)" in introductory provisions, and struck out former par. (2) which read as follows:

"(2)(A) In the case of a member pursuing a baccalaureate degree, the member meets the age requirements of this paragraph if the member will be under 27 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class program, except that if the member has served on active duty, the member may, on such date, be any age under 30 years that exceeds 27 years by a number of months that is not more than the number of months that the member served on active duty.

"(B) In the case of a member pursuing a doctor of jurisprudence or bachelor of laws degree, the member meets the age requirements of this paragraph if the member will be under 31 years of age on June 30 of the calendar year in which the member is projected to be eligible for appointment as a commissioned officer in the Marine Corps through the Marine Corps Platoon Leaders Class program, except that if the member has served on active duty, the member may, on such date, be any age under 35 years that exceeds 31 years by a number of months that is not more than the number of months that the member served on active duty."

Subsec. (f)(1). Pub. L. 106-398, § 1 [[div. A], title V, § 533(d)(1)(A), (B)], in introductory provisions, substituted "An enlisted member who" for "A member who" and inserted "and an officer who receives financial assistance under this section may be required to repay the full amount of financial assistance," after "for more than four years,".

Subsec. (f)(1)(A). Pub. L. 106-398, § 1 [[div. A], title V, § 533(d)(1)(C)], inserted "or, if already a commissioned officer in the Marine Corps, refuses to accept an assignment on active duty when offered" after "when offered".

Subsec. (f)(2). Pub. L. 106-398, § 1 [[div. A], title V, § 533(d)(2)], added par. (2) and struck out former par. (2) which read as follows: "The Secretary of the Navy may waive the obligated service under paragraph (1) of a person who is not physically qualified for appointment under section 532 of this title and later is determined by the Secretary of the Navy under section 505 of this title to be unqualified for service as an enlisted member of the Marine Corps due to a physical or medical

condition that was not the result of misconduct or grossly negligent conduct."

SAVINGS PROVISION

For savings provision relating to payment or repayment of any bonus, incentive pay, special pay, or similar pay obligated to be paid before Apr. 1, 2006, under a provision of this section amended by section 687(c) of Pub. L. 109-163, see section 687(f) of Pub. L. 109-163, set out as a note under section 510 of this title.

TRANSITION PROVISION

Pub. L. 106-65, div. A, title V, § 551(d), Oct. 5, 1999, 113 Stat. 614, provided that:

"(1) An enlisted member of the Marine Corps Reserve selected for training as an officer candidate under section 12209 of title 10, United States Code, before implementation of a financial assistance program under section 16401 of such title (as added by subsection (a)) may, upon application, participate in the financial assistance program established under section 16401 of such title (as added by subsection (a)) if the member—

"(A) is eligible for financial assistance under such section 16401;

"(B) submits a request for the financial assistance to the Secretary of the Navy not later than 180 days after the date on which the Secretary establishes the financial assistance program; and

"(C) enters into a written agreement described in subsection (b)(3) of such section.

"(2) Section 205(f) of title 37, United States Code, as added by subsection (c), applies to a member referred to in paragraph (1)."

PART V—SERVICE, SUPPLY, AND PROCUREMENT

Table with 2 columns: Chap. and Sec.
1801. Issue of Serviceable Material to Reserve Components. [No present sections]
1803. Facilities for Reserve Components ..... 18231
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CHAPTER 1801—ISSUE OF SERVICEABLE MATERIAL TO RESERVE COMPONENTS

[No present sections]

CHAPTER 1803—FACILITIES FOR RESERVE COMPONENTS

Table with 2 columns: Sec. and Purpose.
18231. Purpose.
18232. Definitions.
18233. Acquisition.
18233a. Notice and wait requirements for certain projects.
18233b. Authority to carry out small projects with operation and maintenance funds.
18234. Location and use.
18235. Administration; other use permitted by Secretary.
18236. Contributions to States; other use permitted by States.
18237. Supervision of construction: compliance with State law.
18238. Army National Guard of United States; Air National Guard of United States: limitation on relocation of units.
18239. Waiver of certain restrictions.
18240. Acquisition of facilities by exchange.

AMENDMENTS

2004—Pub. L. 108-375, div. B, title XXVIII, §§ 2808(c), 2809(a)(2), Oct. 28, 2004, 118 Stat. 2125, 2127, substituted "Notice and wait requirements for certain projects" for "Limitation on certain projects; authority to carry out small projects with operation and maintenance funds" in item 18233a and added items 18233b and 18240.